

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of  
**STROBEL et al.**

Examiner: Kamal A Saeed

Application No.: 10/073,160

Art Unit: 1626

Filed: February 13, 2002

Title: **Acylated Indanyl Amines and Their Use  
as Pharmaceuticals****TELEFAX CERTIFICATE**

I hereby certify that this correspondence is being  
transmitted via facsimile to the Commissioner for  
Patents, P.O. Box 1450, Alexandria, VA 22313-  
1450, at 571-273-0025, on

Date of Transmission 10-12-06Signature 

Mail Stop: Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**FAX RECEIVED**

OCT 12 2006

**OFFICE OF PETITIONS**

**PETITION TO WITHDRAW APPLICATION FROM ISSUE**  
**UNDER 37 C.F.R. § 1.313(c)(2);**  
**AND REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

Pursuant to 37 C.F.R. § 1.313(a), Applicants hereby petition for the withdrawal of the above-identified application from issue, and include the requisite fee of \$130.00 under 37 C.F.R. § 1.17(h). Applicants submit that withdrawal from issue is required to ensure proper consideration and acknowledgement by the Examiner, on the record, of related applications to the instant application. A good faith attempt was made to bring the aforementioned related applications to the attention of the Examiner in a paper submitted on October 19, 2005, at page 17, of Applicants' response (Applicants' remarks attached as Appendix A). Applicants in conducting a last check of the instant application before issuance realized that Examiner's response had failed to indicate that said related applications had been considered.

In support of Applicants' petition, concurrently filed herewith is a Request for Continued Examination (RCE), as required under 37 C.F.R. § 1.313(c)(2), that includes requisite fee of \$790.00 and an Information Disclosure Statement (IDS) (submission) listing the related applications to have such related applications properly considered and acknowledged on the record.

acknowledged on the record.

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130.00 DA

10/13/2006 CKHLOK

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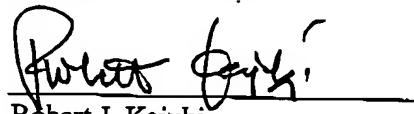
**Information Disclosure Statement (IDS)**

Applicants submit herewith an IDS to request on-record acknowledgement and consideration the listed applications that include similar subject matter (*i.e.*, are in the same technical field) as the instant patent application.

If there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (908) 231-3115.

The Commissioner is hereby authorized to charge the fee required and any additional fees that may be needed to Deposit Account No. 18-1982 in the name of Aventis Pharmaceuticals Inc.

Respectfully submitted,



Robert J. Kajubi  
Registration No. 55,312  
Attorney for Applicants

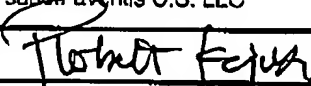
Dated: October 12, 2006

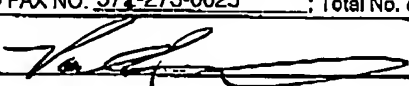
Aventis Pharmaceuticals Inc.  
Patent Department  
Route #202-206 / P.O. Box 6800  
Bridgewater, New Jersey 08807-0800  
Telephone: 908-231-3410  
Telefax: 908-231-2626  
Docket No. DEAV2001/0004 US NP

PTO/SB/21 (09-04)  
Approved for use through 07/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/073,160	<b>FAX RECEIVED</b>  <b>OCT 12 2006</b>  <b>OFFICE OF PETITIONS</b>
	Filing Date	February 13, 2002	
	First Named Inventor	Hartmut STROBEL et al.	
	Art Unit	1624	
	Examiner Name	Kamal A Saeed	
Total Number of Pages In This Submission	//	Attorney Docket Number	DEAV2001/0004 US NP 1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; width: fit-content;">Request for Continued Examination 1449 form</div>
Remarks * PETITION TO WITHDRAW APPLICATION FROM ISSUE UNDER 37 C.F.R. § 1.313(c)(2); AND REQUEST FOR CONTINUED EXAMINATION		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	sanoa-aventis U.S. LLC		
Signature			
Printed name	Robert J. Kajubi		
Date	October 12, 2006	Reg. No.	55,312

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: (USPTO FAX NO. 572-273-0025 ; Total No. of Pages Transmitted: 11 )			
Signature			
Typed or printed name	Paul Irvine	Date	October 12, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.